

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
Original Jurisdiction

Dated: Nainital the 6th day of June, 2002
Criminal Misc. Bail Application Number 471 of 2002

Order on the Bail Application

CRIMINAL SIDE

Dan Singh son of Sri Kundan Singh, resident of village Chakarpur, P.S. Khatima,
District Udham Singh Nagar

.....Applicant(s)

Versus

State of Uttaranchal.

.....Opposite Party

Arising out of-	Case crime no.80 of 2002, Under Sections 302/201 of I.P.C. and 3/2,5 of SC/ST Act, P.C. Khatima, District Udham Singh Nagar
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By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

According to the prosecution version, the victim Devender Ram was summoned from his house by one Sonoo alias Lata for and in connection with some dispute to be settled amicably. The victim was taken towards the jungle side where said where said Sonoo, applicant-accused and one another assaulted the victim.

There is allegation that applicant-accused assaulted the victim by kicks and fists. My attention was drawn to the version of the F.I.R. in which this allegation has not been made. Attention was also drawn to the postmortem report to show that not a single contusion which might have been caused as a result of kicks and fists, was found on the person of the victim. Considering the totality of circumstances, I find it a fit case for bail.

Let the applicnt Dan Singh son of Sri Kundan Singh, resident of village Chakarpur, P.S. Khatima, District Udham Singh Nagar be released on bail in case crime no. 80 of 2002, under sections 302/201 of I.P.C. and 3/2, 5 SC/ST Act, P.S. Khatima, District Udham Singh Nagar on his filing a personal bond and adequate sureties to the satisfaction of C.J.M., Udham Singh Nagar.

Irshad Hussain, J.

06.06.2002./B.